

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF OKLAHOMA**

ALICIA D. COULTER,

Plaintiff,

V.

No. CIV-24-835-R

**JAREK BUTLER,
ASHLEIGH MELTON, and
CITY OF NORMAN, et al.,**

Defendants.

ORDER

Plaintiff Alicia Coulter, proceeding *pro se* and *in forma pauperis*, filed a Voluntary Motion to Dismiss Without Prejudice [Doc. No. 49]. The Court previously granted the Motions to Dismiss filed by Defendants City of Norman, Jarek Butler, and Ashleigh Melton [Doc. No. 48]. Plaintiff's Amended Complaint [Doc. No. 38] asserts claims against additional defendants, although those defendants are yet to be served. Accordingly, the Court interprets Plaintiff's Motion as seeking voluntary dismissal of those remaining claims, and finds such request appropriate.¹

Rule 41(a)(2) of the Federal Rules of Civil Procedure “governs voluntary dismissals after the opposing party has filed an answer or motion for summary judgment.” *Clark v. Tansy*, 13 F.3d 1407, 1411 (10th Cir. 1993). “Dismissal under Rule 41(a)(2) is within the sound discretion of the court.” *Id.* “[T]he district court normally should grant such a

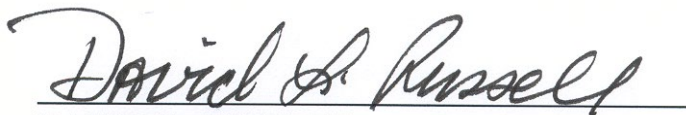
¹ As a *pro se* litigant, Plaintiff's filings are construed liberally. See *Sullivan v. Graham*, No. 23-3153, 23-3154, 2025 WL 1983231, at *1 n.1 (10th Cir. July 17, 2025) (citing *Garrett v. Selby Connor Maddux & Janer*, 425 F.3d 836, 840 (10th Cir. 2005)).

dismissal,' absent 'legal prejudice' to the defendant." *Gravlee v. Tibbs*, No. CIV-24-221-D, 2024 WL 4511217, at *1 (W.D. Okla. Sep. 18, 2024) (quoting *Brown v. Baeke*, 413 F.3d 1121, 1123 (10th Cir. 2005), *report and recommendation adopted*, *Gravlee v. Okla.*, No. CIV-24-221-D, 2024 WL 4508965 (W.D. Okla. Oct. 16, 2024).

Here, because the served Defendants are already dismissed from the action pursuant to Doc. No. 48, and the remaining defendants have not been served, the Court finds no potential for legal prejudice.

Accordingly, Plaintiff's Motion is GRANTED.

IT IS SO ORDERED this 6th day of August, 2025.


DAVID L. RUSSELL
UNITED STATES DISTRICT JUDGE